

Public Law 828

CHAPTER 770

July 28, 1956
[S. 3481]

AN ACT

To amend the Foreign Service Act of 1946, as amended, and for other purposes

Foreign Service
Act Amendments of
1956.
60 Stat. 1002.
22 USC 866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Foreign Service Act Amendments of 1956".

SEC. 2. Section 411 of the Foreign Service Act of 1946, as amended, is amended by striking out the second sentence of that section and substituting in lieu thereof the following: "The per annum salaries of chiefs of mission within each class shall be as follows: Class 1, \$27,500 per annum; class 2, \$25,000; class 3, \$22,500; and class 4, \$20,000."

22 USC 867.

SEC. 3. Section 412 of such Act is amended to read as follows:

"SEC. 412. There shall be ten classes of Foreign Service officers, including the classes of career ambassador and of career minister. The per annum salary of a career ambassador shall be \$20,000. The per annum salary of a career minister shall be \$17,500. The per annum salaries of Foreign Service officers within each of the other classes shall be as follows:

Class 1-----	\$14,600	\$15,000	\$15,400	\$15,800	\$16,200	\$16,600	\$17,000
Class 2-----	12,600	12,900	13,200	13,500	13,800	14,100	14,400
Class 3-----	10,600	10,900	11,200	11,500	11,800	12,100	12,400
Class 4-----	9,000	9,250	9,500	9,750	10,000	10,250	10,500
Class 5-----	7,400	7,650	7,900	8,150	8,400	8,650	8,900
Class 6-----	6,100	6,300	6,500	6,700	6,900	7,100	7,300
Class 7-----	5,100	5,250	5,400	5,550	5,700	5,850	6,000
Class 8-----	4,300	4,450	4,600	4,750	4,900	5,050	5,200
	5,350."						

22 USC 869.

SEC. 4. Section 414 (a) of such Act is amended by striking out the word "six" and inserting the word "eight" in lieu thereof; and by striking out the number "6" and inserting in lieu thereof the number "8".

22 USC 911.

SEC. 5. Section 516 of such Act and the heading thereto is amended by striking the words "class 6" wherever they appear therein and inserting the words "class 8" in lieu thereof.

22 USC 912.

SEC. 6. Section 517 of such Act and the heading thereto is amended by striking the heading thereto and substituting in lieu thereof "Admission to classes 1 to 7, inclusive"; by striking in the aforementioned section the number "6" wherever it appears therein and inserting in lieu thereof the number "8"; by striking out in the aforementioned section the number "5" wherever it appears therein and inserting in lieu thereof the number "7"; and by striking out the word "forty" and inserting in lieu thereof the words "one hundred and seventy-five"; by inserting before the period at the end of the second sentence the following: "as a Foreign Service officer"; and by adding after the second sentence a new sentence which shall read as follows: "Notwithstanding the above provisions of this section, the limitation on the maximum number of appointments authorized herein shall not be applicable in the case of any person appointed or assigned by the Secretary of State as a Foreign Service Reserve officer and who thereafter has served in a position of responsibility in such capacity for the required period prior to appointment as a Foreign Service officer."

22 USC 1004.

SEC. 7. Section 634 (b) of such Act is amended by striking the words "classes 4 or 5", and inserting in lieu thereof the words "classes 4, 5, 6 or 7"; by striking the words "class 4" and inserting in lieu thereof the words "classes 4 or 5"; and by striking the words "class 5" and inserting in lieu thereof the words "classes 6 and 7".

22 USC 1005,
1007.

SEC. 8. Section 635 of such Act and the heading thereto and section 637 (a) of such Act are amended by striking the number "6" wherever it appears therein and by inserting in lieu thereof the number "8".

SEC. 9. (a) Section 821 (a) of such Act is amended by striking the word "thirty" and inserting in lieu thereof the word "thirty-five", and by inserting after the first sentence the following new sentence: "However, the highest five years of service for which full contributions have been made to the Fund shall be used in computing the annuity of any Foreign Service officer who serves as chief of mission and whose continuity of service as such is interrupted prior to retirement by appointment or assignment to any other position determined by the Secretary to be of comparable importance."

22 USC 1076.

(b) Section 821 (b) of such Act is amended by striking the phrase "for the five years next preceding his retirement" and inserting in lieu thereof "as computed in accordance with subsection (a) of this section."

SEC. 10. Section 871 of such Act is amended by striking the word "thirty" and inserting in lieu thereof the word "thirty-five".

22 USC 1111.

SEC. 11. Section 902 of such Act is amended to read as follows:

22 USC 1132.

"SEC. 902. The Secretary may, under such regulations as he may prescribe, make an allotment of funds to any post to defray the unusual expenses incident to the operation and maintenance of official residences suitable for principal representatives of the United States at that post."

SEC. 12. (a) Section 921 of such Act is amended (1) by inserting "(a)" immediately after "SEC. 921.", (2) by striking out "and pursuant to appropriations therefor," and (3) by amending the proviso in the second sentence to read as follows: "Provided, That an amount equal to the amount expended for such services shall be covered into the Treasury as miscellaneous receipts."

22 USC 1139.

(b) Section 921 of such Act is further amended by adding at the end thereof the following new subsections:

"(b) The Secretary, under such regulations as he may prescribe, may authorize and assist in the establishment, maintenance, and operation, by officers and employees of the Service, of non-Government-operated commissary and mess services and recreation facilities at posts abroad, including the furnishing of space, utilities, and properties owned or leased by the United States for use by its diplomatic and consular missions. The provisions of the Foreign Service Buildings Act, 1926, as amended (22 U. S. C. 292-300), may be utilized by the Secretary in providing such assistance. Commissary or mess services and recreation facilities established pursuant to this subsection shall be made available, insofar as practicable, to officers and employees of other Government agencies and their dependents who are stationed abroad. Such services or facilities shall not be established in localities where another United States agency operates similar services or facilities unless the Secretary determines that such additional services or facilities are necessary.

44 Stat. 403.

"(c) Notwithstanding the last paragraph under the heading 'Subsistence Department' in the Act of March 3, 1911 (10 U. S. C. 1253), or the provisions of any other law, charges at any post abroad by a commissary or mess service or recreation facility authorized or assisted under this section shall be at the same rate for all civilian personnel of the Government serviced thereby, and all charges for supplies furnished to such a service or facility abroad by any Government agency shall be at the same rate as that charged by the furnishing agency to its civilian commissary or mess services or recreation facilities.

36 Stat. 1047.

"(d) Notwithstanding the provisions of section 5 of the Act of July 16, 1914, as amended (5 U. S. C. 78), the Secretary may authorize any principal officer to approve the use of Government-owned vehicles located at his post for transportation of United States Government

60 Stat. 810.

22 USC 1156.
Medical protec-
tion.

employees who are American citizens, and their dependents, to and from recreation facilities when public transportation is unsafe or is not available."

SEC. 13. Section 941 of such Act is amended to read as follows:

"SEC. 941. (a) In the event an officer or employee of the Service who is a citizen of the United States incurs an illness or injury while such person is located abroad, which requires hospitalization or similar treatment, and which is not the result of vicious habits, intemperance, or misconduct on his part, the Secretary may, in accordance with such regulations as he may prescribe, pay for the cost of treatment of such illness or injury.

"(b) In the event a dependent of a United States citizen officer or employee of the Service who is stationed abroad, incurs an illness or injury while such dependent is located abroad, which requires hospitalization or similar treatment, and which is not the result of vicious habits, intemperance, or misconduct on his part, the Secretary may, in accordance with such regulations as he may prescribe, pay for that portion of the cost of treatment of each such illness or injury that exceeds \$35 up to a maximum limitation of one hundred and twenty days of treatment for each such illness or injury, except that such maximum limitation shall not apply whenever the Secretary, on the basis of professional medical advice, shall determine that such illness or injury clearly is caused by the fact that such dependent is or has been located abroad.

"(c) After sufficient experience in the operation of the medical protection plan authorized in subsections (a) and (b) of this section has been obtained, as determined by the Secretary, and if he considers that the benefits so authorized can be provided for as well and as cheaply in other ways, the Secretary may, under such regulations, and for such persons, locations, and conditions as he may deem appropriate, and within the limits prescribed in such subsections, contract for medical care pursuant to such arrangements, insurance, medical service, or health plans as he may deem appropriate."

22 USC 1157.

SEC. 14. (a) Section 942 (a) of such Act is amended to read as follows:

Transportation to
hospitals.

"SEC. 942. (a) In the event an officer or employee of the Service who is a citizen of the United States or his dependents incurs an illness or injury requiring hospitalization, not the result of vicious habits, intemperance or misconduct, while stationed abroad in a locality where there does not exist a suitable hospital or clinic, the Secretary may, in accordance with such regulations as he may prescribe, pay the travel expenses of such person by whatever means he shall deem appropriate and without regard to the Standardized Government Travel Regulations and section 10 of the Act of March 3, 1933, as amended (68 Stat. 808, 5 U. S. C. 73b), to the nearest locality where a suitable hospital or clinic exists, and on his recovery pay for the travel expenses of his return from such hospital or clinic. If any such officer, employee, or dependent is too ill to travel unattended, the Secretary may also pay the round-trip travel expenses of an attendant or attendants."

60 Stat. 808.

(b) Section 942 (b) of such Act is amended by inserting the words "a physician" and a comma immediately following the phrase "the services of"; and by inserting immediately following the words "a nurse" a comma and the phrase "or other medical personnel".

SEC. 15. Section 943 of such Act is amended to read as follows:

22 USC 1158.

"PHYSICAL EXAMINATIONS AND COSTS OF INOCULATIONS

"SEC. 943. The Secretary shall, under such regulations as he may prescribe, provide for physical examinations for applicants for employment and for officers and employees of the Service who are citizens of the United States, and for their dependents, including examinations necessary to establish disability or incapacity in accordance with the provisions of section 831, and shall provide for administering inoculations or vaccinations to such officers and employees and their dependents."

22 USC 1081.

SEC. 16. (a) Foreign Service officers presently serving in the class of career ambassador and the class of career minister shall receive the salary prescribed for career ambassadors and for career ministers, respectively, by section 412 of such Act, as amended.

Ante, p. 704.

(b) Foreign Service officers and Reserve officers in the other classes shall be transferred to the new classes established by section 412 of such Act, as amended, as follows: Officers of class 1 to the new class 1; officers of class 2 to the new class 2; officers of class 3 to the new class 3; officers of class 4 to the new classes 4 or 5 as determined by the Secretary, in accordance with the second sentence of this subsection; officers of class 5 to the new class 6; and officers of class 6 to the new class 7. In accordance with such regulations as the Secretary may prescribe there shall be transferred to the new class 4 those officers of the present class 4 who either are receiving the sixth through the eighth step rates of the present class 4 or who were eligible and were recommended for promotion by the selection board next preceding the effective date of this Act. All remaining officers in the present class 4 shall be transferred to the new class 5.

(c) Each officer transferred pursuant to paragraph (b) of this section shall, under such regulations as the Secretary may prescribe, receive basic salary at that one of the rates of the class to which he is transferred which shall, as nearly as possible, correspond to the salary he is receiving at the time of transfer, except that no officer shall suffer a reduction in basic salary as a result thereof.

(d) Service in a former class shall be considered as constituting service in the new class for the purposes of determining (1) eligibility for promotion, in accordance with the provisions of section 622, and (2) liability for separation, in accordance with the provisions of section 633. Officers who are transferred to new class 7 in accordance with paragraph (b) of this section shall continue to occupy probationary status pursuant to section 635.

22 USC 992.

22 USC 1003.

(e) Officers transferred in accordance with the provisions of this section shall receive credit for time served in a previous class toward in-class promotion in accordance with section 625.

22 USC 1005.
Ante, p. 704.

22 USC 995.

(f) The class and salary adjustments made pursuant to paragraphs (a), (b), and (c) of this section and the salary increases for chiefs of mission authorized by section 2 of this Act shall be made effective as of the first day of the first pay period which begins after the date of enactment of this Act or on the first day of the first pay period which begins after July 1, 1956, whichever shall be later.

Effective date.

SEC. 17. A new section 936 is hereby added to such Act as follows:

"APPLICATION OF ANNUAL AND SICK LEAVE ACT OF 1951

65 Stat. 679.

"SEC. 936. The Annual and Sick Leave Act of 1951, as amended (5 U. S. C. 2061 and the following), shall apply to career ministers and Foreign Service officers, who are not serving as chiefs of mission or who are not serving in a position in the Department which requires appointment by the President, by and with the advice and consent of the Senate, and to Foreign Service Reserve officers who are commissioned as diplomatic or consular officers, or both, in accordance with section 524 of the Foreign Service Act of 1946, as amended, notwithstanding the provisions of section 202 (c) (1) (A) of the Annual and Sick Leave Act of 1951, as amended."

22 USC 924.

67 Stat. 136.

5 USC 2061.

SEC. 18. Notwithstanding the provisions of this Act, existing rules, regulations of or applicable to the Foreign Service of the United States shall remain in effect until revoked or rescinded or until modified or superseded by regulations made in accordance with the provisions of this Act, unless clearly inconsistent with the provisions of this Act.

Approved July 28, 1956.

Public Law 829

CHAPTER 771

AN ACT

July 28, 1956
[S. 2216]

To amend the Act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497).

National forest.
Use of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last paragraph under the heading "FOREST SERVICE" in the Act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497), is amended to read as follows:

"The Secretary of Agriculture is authorized, under such regulations as he may make and upon such terms and conditions as he may deem proper, (a) to permit the use and occupancy of suitable areas of land within the national forests, not exceeding eighty acres and for periods not exceeding thirty years, for the purpose of constructing or maintaining hotels, resorts, and any other structures or facilities necessary or desirable for recreation, public convenience, or safety; (b) to permit the use and occupancy of suitable areas of land within the national forests, not exceeding five acres and for periods not exceeding thirty years, for the purpose of constructing or maintaining summer homes and stores; (c) to permit the use and occupancy of suitable areas of land within the national forest, not exceeding eighty acres and for periods not exceeding thirty years, for the purpose of constructing or maintaining buildings, structures, and facilities for industrial or commercial purposes whenever such use is related to or consistent with other uses on the national forests; (d) to permit any State or political subdivision thereof, or any public or nonprofit agency, to use and occupy suitable areas of land within the national forests not exceeding eighty acres and for periods not exceeding thirty years, for the purpose of constructing or maintaining any buildings, structures, or facilities necessary or desirable for education or for any public use or in connection with any public activity. The authority provided by this paragraph shall be exercised in such manner as not to preclude the general public from full enjoyment of the natural, scenic, recreational, and other aspects of the national forests."

Approved July 28, 1956.